

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 16. This sheet replaces the original sheet. In Fig. 16, the callouts for reference numerals 80 and 130 have been repositioned to correctly identify their corresponding components.

Attachment: Replacement Sheet

Annotated Sheet Showing Changes

REMARKS

Claims 1 to 14 were pending in the present application; claims 8 to 14 were withdrawn from consideration. Applicant has amended claims 1, 3, and 5, and added claims 15 and 16.

Specification and Drawings

Applicant has amended paragraph [0050] as indicated by the Examiner to correct a typographical error. Applicant has further amended other paragraphs and Fig. 16 to correct typographical errors and to improve clarity of the description.

§102 Rejections

The Examiner rejected claims 1, 2, and 7 under 35 U.S.C. § 102(a) and (e) as being unpatentable over U.S. Patent No. 6,567,439 (“Auracher et al.”). Addressing claims 1 and 2, the Examiner found that Fig. 1a of Auracher et al. discloses “a submount comprising a substrate 2 of silicon, a lens 5 above the substrate, and a laser 1 above the substrate.” September 13, 2005 Office Action, p. 2. Applicant has amended claim 1, which now recites:

1. A laser submount on top of which a laser is mounted, comprising:
a substrate; and
a lens above the substrate and below the laser.

Claim 1 (emphasis added). Amended claim 1 is patentable over Auracher et al. because Auracher et al. discloses that lens 5 is above, instead of below, laser 1.

Claims 2 and 7 depend from amended claim 1 and are patentable over Auracher et al. for at least the same reasons as amended claim 1.

§103 Rejections

The Examiner rejected claims 1 to 7 under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 5,577,142 (“Mueller-Fiedler et al.”). Addressing claims 1 and 2, the Examiner found that Mueller-Fiedler et al. discloses “a substrate T1 of silicon, a lens Li above the substrate, and a laser LD above the substrate.” September 13, 2005 Office Action, p. 3.

Amended claim 1 is patentable over Mueller-Fiedler et al. for reciting “a lens above the substrate and below the laser.” Amended claim 1. Contrary to amended claim 1, Figs. 1 to 4 of Mueller-Fiedler et al. disclose that lens Li is above, instead of below, laser LD.

Furthermore, amended claim 1 is patentable over Mueller-Fiedler et al. for reciting a “laser submount on top of which a laser is mounted” that includes “a substrate; and a lens above the substrate” Amended claim 1. Contrary to amended claim 1, Mueller-Fiedler et al. discloses that lens Li is part of a carrier T2 instead of carrier T1 on top of which laser LD is mounted. “On the underside of the carrier T2, in the region in which the beam of light L1 impinges, a lens Li is fitted.” Mueller-Fiedler et al., col. 2, lines 51 and 52. Accordingly, amended claim 1 is patentable over Mueller-Fiedler et al.

Claims 2 to 7 depend from amended claim 1 and are patentable over Mueller-Fiedler et al. for at least the same reasons as amended claim 1.

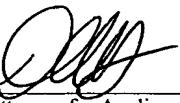
New claims

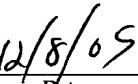
New claims 15 and 16 depend from amended claim 1 and are patentable over Mueller-Fiedler et al. for at least the same reasons as amended claim 1.

Summary

In summary, claims 1 to 14 were pending in the above-identified application; claims 8 to 14 were withdrawn from consideration. Applicant has amended claims 1, 3, and 5, and added claims 15 and 16. For the above reasons, Applicant respectfully requests the Examiner to withdraw the claim rejections and allow claims 1 to 7, 15, and 16. Should the Examiner have any questions, please call the undersigned at (408) 382-0480x206.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.



Attorney for Applicant(s)

Date

Respectfully submitted,



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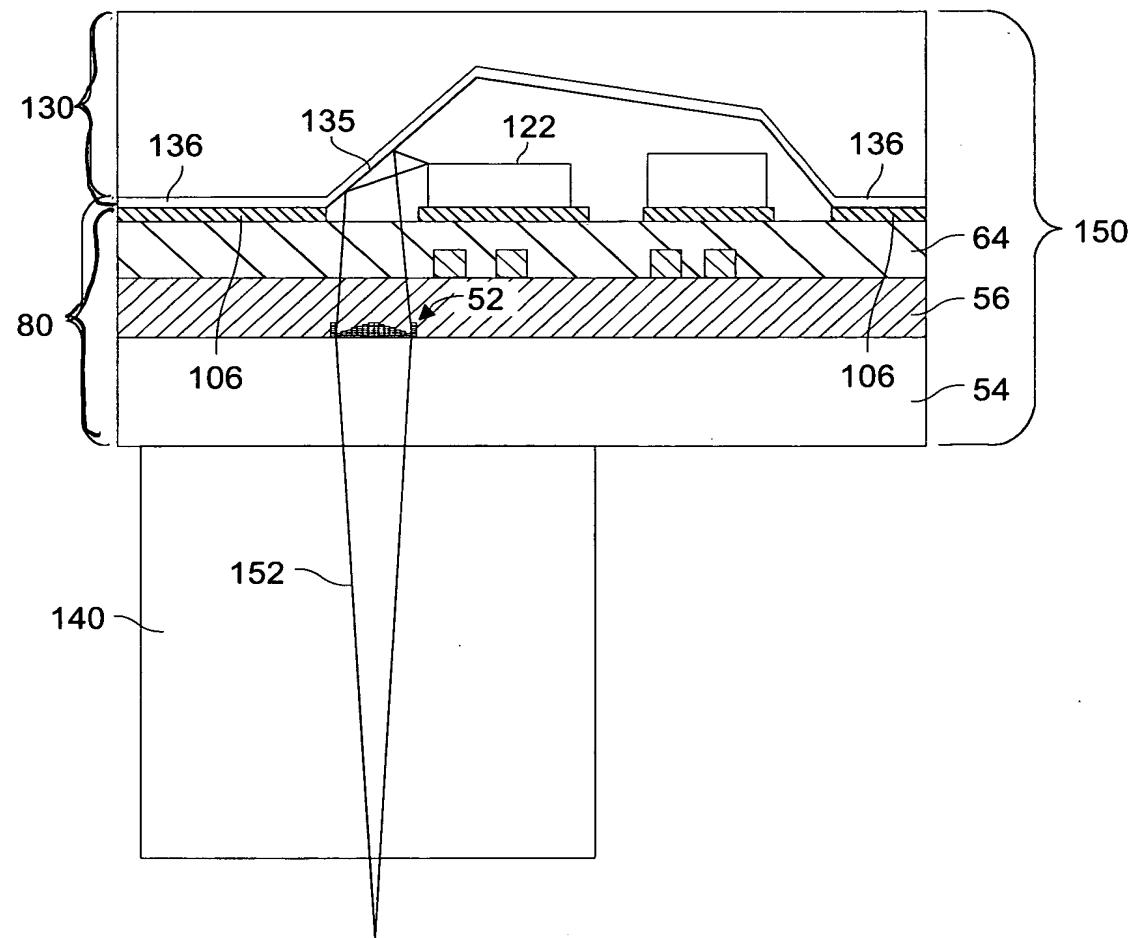


FIG. 16